

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Joseph John Tebbe	Petitions Examiner:	April M. Wise
In Re Patent No.	6,305,697	Issue Date:	October 23, 2001
Serial No.:	09/198,240	Filed:	November 23, 1998
Docket:	028.002US1		
Title:	Clamping Jaw Device		

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**PETITION FOR RECONSIDERATION**

Mail Stop PETITIONS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. §1.378(c), Applicant respectfully requests reconsideration of the denial of their Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent filed 11 April 2011.

### REMARKS

This responds to the Denial of Petition mailed 18 May 2011. Applicant respectfully thanks Petitions Examiner Wise for her helpful comments during our phone conversation of 8 June 2011.

On 11 April 2011, Applicant submitted a Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent. At that time, Applicant inadvertently submitted a payment of \$1620 to cover the surcharge instead of the required payment of \$1640. Also at that time, Applicant was unable to pay the Maintenance Fee of \$1240 via the United States Patent and Trademark Office's on-line e-filer portal because the patent had expired.

During our phone conversation of 8 June 2011, Petitions Examiner Wise kindly pointed out Applicant's deficient payment of \$20 for the surcharge. Petitions Examiner Wise also kindly instructed Applicant to pay (1) a surcharge payment of \$20, (2) the maintenance fee of \$1240, and (3) a Petition Fee of \$400.

Applicant tried again on 8 June 2011 to pay the required Maintenance Fee of \$1240 via the United States Patent and Trademark Office's on-line e-filer portal, but was unable to pay (Exhibit A).

On 9 June 2011, when Applicant attempted to file a Petition for Reconsideration and attempted to pay the required fees online via the EFS-Web portal, Applicant was unable to pay the \$20 surcharge and the \$1240 maintenance fee and abandoned his attempt.

As such, Applicant will file this Petition for Reconsideration, pay the \$400 Petition Fee online, and request that the United States Patent and Trademark Office charge the (1) remaining surcharge payment of \$20, (2) the maintenance fee of \$1240, and any other required fees from Deposit Account No. 50-4934 in the appropriate amount.

Applicant submits that the foregoing facts, as supported by the attached Exhibit A, establish *bona fide* attempts to comply with the provisions of 37 C.F.R. §1.378(c), and accordingly request that Applicant's Petition be granted.

**CONCLUSION**

Applicant respectfully submits that all of the requirements to reinstate the expired patent and been met and requests reconsideration of Applicant's Petition.


The Petitions Examiner is invited to telephone Applicant's attorney at (952) 886-7160 to facilitate prosecution of this Petition.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-4934.

Respectfully submitted,


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Date 6/9/11

By   
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 9<sup>th</sup> day of June 2011.

Mitchell A. Rossman  
Name

  
Signature

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**United States  
Patent and  
Trademark Office**

In Re Patent No. 6,305,697  
Application No. 09/198,240  
Docket 028.002US1  
Exhibit A

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Patent Number (exclude special characters; e.g. commas):

6305697

Application Number (must be 8 numeric digits - see NOTE below):

09198240

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From	To	Series Code
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